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Date: August 19, 2003

Jonathan A. Platt
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Attorney Docket No. AAROP0101US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

H/O
8-28-03

In re Patent Application of:

Applicants: Martha Aarons

Serial No.: 10/375,232

Filed: February 27, 2003

Title: YOGA SUPPORT SYSTEM AND METHOD

Examiner: Katherine M. Moran

Art Unit: 3765

RECEIVED
AUG 27 2003
TECHNOLOGY CENTER R3700

REPLY TO OFFICE ACTION DATED MAY 21, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Further and favorable consideration of the above application is respectfully requested in view of the amendments presented in the following specification paragraphs and listing of claims, and in view of the following remarks.

Amendments to the Specification

Please amend the paragraph on page 2, lines 18-27, as follows:

A yoga support system includes a pair of yoga gloves and a pair of yoga slippers.

The yoga gloves and the yoga slippers are configured for use simultaneously by a yoga practitioner to prevent slipping by the yoga practitioner. Each of the gloves includes a glove fabric portion; and a glove anti-skid portion connected to the glove fabric portion. The glove fabric portion is connected to the glove anti-skid portion. Each of the yoga slippers includes a slipper fabric portion having a slipper fabric exterior surface throughout; and a slipper anti-skid portion with a slipper anti-skid exterior surface throughout. The slipper anti-skid portion is connected to the slipper fabric portion. The slipper anti-skid portion includes a sole part, and a pair of side parts overlying both sides of the foot of a user.

Please add a new paragraph, following page 3, line 12, as follows:

Fig. 3A is a cross-sectional view showing an anti-skid portion attached to a fabric underlayer of the glove of Fig. 2;

Please amend the paragraph on page 6, lines 27 - page 7, lines 5, as follows:

The glove anti-skid material portion 22 may include an anti-skid material attached to an underlying fabric 93, for example, being adhesively attached with a suitable adhesive, as illustrated in Fig. 3A. Alternatively, or in addition, the glove anti-skid material portion 22 may be attached to an underlying material by other suitable means, for example, by stitching. The glove anti-skid material portion 22 may include any of a variety of suitable materials that provide an increased coefficient of friction, thereby preventing or discouraging sliding when the anti-skid material is pressed against the surface. Examples of suitable anti-skid materials include polyurethane foam, leather, and rubber.

Please amend the paragraph on page 7, lines 6-10, as follows:

aw
The underlying fabric, to which the glove anti-skid material portion 22 is attached, may be part of a unitary glove, formed from ~~form~~ a single material. Thus the underlying material may be the same material as that of the glove fabric portion 24. It will be appreciated that having a single underlying material glove may enhance the wearer's comfort, as well as providing for ease of manufacture.

Listing of the Claims

1. (Canceled)

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2. (Currently Amended) The glove of claim 7, 4, wherein the anti-skid portion also includes a palm part.

3. (Currently Amended) The glove of claim 7, 4, wherein the anti-skid portion also includes finger pad surfaces of the glove.

4. (Canceled)

5. (Currently Amended) A glove comprising: The glove of claim 4;
a fabric portion having a fabric exterior surface throughout; and
an anti-skid portion having an anti-skid exterior surface throughout;
wherein the fabric portion is connected to the anti-skid portion;
wherein the fabric portion includes a dorsal part;
wherein the anti-skid portion includes an outer thumb part;
wherein the outer thumb part overlies a thumb bending axis; and
wherein the outer thumb part is substantially centered about the thumb bending axis.

6. (Currently Amended) The glove of claim 7, 4, wherein the fabric portion also includes an inner thumb part.

7. (Currently Amended) A glove comprising: The glove of claim 1;
a fabric portion having a fabric exterior surface throughout; and
an anti-skid portion having an anti-skid exterior surface throughout;

wherein the fabric portion is connected to the anti-skid portion;

wherein the fabric portion includes a dorsal part;

wherein the anti-skid portion includes an outer thumb part; and

wherein the fabric portion also includes a thumb pad part.

8. (Currently Amended) The glove of claim 7, 4, wherein the anti-skid portion includes an anti-skid material that is attached to a fabric underlayer.

9. (Currently Amended) The glove of claim 8, wherein the fabric underlayer and the fabric portion are parts of a continuous, unitary layer of a fabric material.

10. (Original) The glove of claim 9, wherein the fabric material is breathable.

11. (Original) The glove of claim 9, wherein the fabric material is stretchable.

12. (Original) The glove of claim 8, wherein the anti-skid material is adhesively bonded to the fabric underlayer.

13. (Currently Amended) A glove comprising: The glove of claim 8;
a fabric portion having a fabric exterior surface throughout; and
an anti-skid portion having an anti-skid exterior surface throughout;
wherein the fabric portion is connected to the anti-skid portion;
wherein the fabric portion includes a dorsal part;
wherein the anti-skid portion includes an outer thumb part;
wherein the anti-skid portion includes an anti-skid material that is attached to a
fabric underlayer; and
wherein the anti-skid material is a continuous, unitary layer.

14. (Currently Amended) The glove of claim 7, 4, wherein the anti-skid portion includes rubber.

15. (Currently Amended) The glove of claim 7, 4, wherein the anti-skid portion includes polyurethane foam.

16. (Currently Amended) The glove of claim 7, 4, wherein the anti-skid exterior surface of the anti-skid portion has a textured surface.

17. (Original) The glove of claim 16, wherein the textured surface includes grit particles.

18. (Original) The glove of claim 16, wherein the textured surface includes a treaded surface.

19. (Currently Amended) A glove comprising: The glove of claim 1;
a fabric portion having a fabric exterior surface throughout; and
an anti-skid portion having an anti-skid exterior surface throughout;
wherein the fabric portion is connected to the anti-skid portion;
wherein the fabric portion includes a dorsal part;
wherein the anti-skid portion includes an outer thumb part;
as part of a yoga support system that includes a pair of the gloves and a pair of yoga slippers, wherein the yoga slippers each include:
a slipper fabric portion having a slipper fabric exterior surface throughout; and
a slipper anti-skid portion with a slipper anti-skid exterior surface throughout;
wherein the slipper anti-skid portion includes a sole part, and a pair of side parts overlying both sides of the foot of a user; and

wherein the side parts extend along substantially all of both sides of the slipper at a level of at least mid-toe height of a wearer.

20. (Canceled)

21. (Currently Amended) A method of performing yoga, comprising: The method of claim 20, further comprising, prior to the having,

placing a pair of gloves on respective hands of a yoga practitioner, wherein the gloves each includes a glove anti-skid portion having an anti-skid exterior surface throughout;

placing a pair of slippers on respective feet of the yoga practitioner, wherein the slippers each include a slipper anti-skid exterior surface, wherein the side parts of the slipper anti-skid exterior surface extend along substantially all of both sides of the slipper at a level of at least mid-toe height of a wearer; and

having the yoga practitioner assume a yoga position;
wherein the having includes placing the glove anti-skid surfaces in contact with a rigid surface; and

wherein the having includes placing the slipper anti-skid exterior surfaces in contact with a floor.

22. (Currently Amended) The method of claim 21, 20; wherein the rigid surface is a floor.

23. (Currently Amended) The method of claim 21, 20; wherein the rigid surface is a wall.

24. (Currently Amended) The method of claim 21, 20; wherein the having includes placing outer thumb parts of the gloves against the rigid surface.

25. (Currently Amended) A yoga support system comprising:
a pair of yoga gloves and a pair of yoga slippers;
wherein the yoga gloves and the yoga slippers are configured for use
simultaneously by a yoga practitioner to prevent slipping by the yoga practitioner;
wherein each of the gloves includes:
a glove fabric portion; and
a glove anti-skid portion connected to the glove fabric portion;
wherein the glove fabric portion is connected to the glove anti-skid portion;
and
wherein each of the yoga slippers includes:
a slipper fabric portion having a slipper fabric exterior surface throughout;
and
a slipper anti-skid portion with a slipper anti-skid exterior surface
throughout;
wherein the slipper anti-skid portion is connected to the slipper fabric
portion; and
wherein the slipper anti-skid portion includes a sole part, and a pair of side
parts overlying both sides of the foot of a user; and
wherein the side parts extend along substantially all of both sides of the
slipper at a level of at least mid-toe height of a wearer.

26. (Original) The system of claim 25,
wherein the glove anti-skid portion includes an outer thumb part; and
wherein the glove fabric portion includes an inner thumb part.

27. (Original) The system of claim 26, wherein the glove fabric portion further
includes a dorsal part.

28. (New) The glove of claim 13, wherein the anti-skid portion also includes a palm part.
29. (New) The glove of claim 13, wherein the anti-skid portion also includes finger pad surfaces of the glove.
30. (New) The glove of claim 13, wherein the fabric portion also includes an inner thumb part.
31. (New) The glove of claim 13, wherein the fabric underlayer and the fabric portion are parts a continuous, unitary layer of a fabric material.
32. (New) The glove of claim 31, wherein the fabric material is breathable.
33. (New) The glove of claim 31, wherein the fabric material is stretchable.
34. (New) The glove of claim 13, wherein the anti-skid material is adhesively bonded to the fabric underlayer.
35. (New) The glove of claim 13, wherein the anti-skid portion includes rubber.
36. (New) The glove of claim 13, wherein the anti-skid portion includes polyurethane foam.
37. (New) The glove of claim 13, wherein the anti-skid exterior surface the anti-skid portion has a textured surface.

38. (New) The glove of claim 37, wherein the textured surface includes grit particles.

39. (New) The glove of claim 37, wherein the textured surface includes a treaded surface.

40. (New) The method of claim 21, wherein each of the gloves further includes a fabric portion having a fabric exterior surface throughout;
wherein the fabric portion is connected to the anti-skid portion;
wherein the fabric portion includes a dorsal part;
wherein the anti-skid portion includes an outer thumb part; and
wherein the fabric portion also includes a thumb pad part.

41. (New) The method of claim 21, wherein each of the gloves further includes a fabric portion having a fabric exterior surface throughout; and
wherein the fabric portion is connected to the anti-skid portion;
wherein the fabric portion includes a dorsal part;
wherein the anti-skid portion includes an outer thumb part;
wherein the anti-skid portion includes an anti-skid material that is attached to a fabric underlayer; and
wherein the anti-skid material is a continuous, unitary layer.

42. (New) The system of claim 25, wherein:
the fabric portion of each of the gloves also includes a thumb pad part.

43. (New) The system of claim 25, wherein:
the anti-skid portion of each of the gloves is a continuous, unitary layer.

REMARKS

Following entry of the above amendment, claims 2-3, 5-19, and 21-43 will be pending. Claims 1, 4, and 20 have been canceled. Claims 5, 7, and 13 have been re-written as independent claims without change in scope. Claims 19 and 21 have been re-written as independent claims and amended to clarify their distinction over the prior art. Claim 25 has been amended to clarify its distinction over the prior art. Claims 2-3, 6, 8, and 14-16 have been amended to depend upon claim 7, thereby avoiding dependence on canceled claim 1. Claims 9 and 16 have been amended to correct typographical errors. Claims 28-43 have been added.

A replacement drawing sheet is enclosed herewith, adding Fig. 3A to overcome examiner's objection to the drawings.

Two paragraphs of the specification have been amended to correct the typographical errors noted by the Examiner. The BRIEF DESCRIPTION OF DRAWINGS and a paragraph of the specification have been amended to reflect the added Fig. 3A.

Allowable Subject Matter

The indication that claims 5, 7, and 13 constitute allowable subject matter is noted with appreciation. As noted above, claims 5, 7, and 13 have been re-written in independent form, thereby putting claims 5, 7, and 13 into condition for allowance. In addition, claims 2-3, 6, 8, and 14-16 have been amended to depend upon claim 7, thereby putting claims 2-3, 6, 8-12, and 14-18 into condition for allowance as well. Furthermore, newly-added claims 28-39 depend directly or indirectly upon claim 13, and are therefore also in condition for allowance.

Interview Summary

The undersigned thanks the Examiner for the courtesies extended in the telephone interview of August 13, 2003. The above amendments to the specification,

drawings, and claims were discussed, as was the distinction of the rejected claims over the cited references.

With regard to Malpee, U.S. Patent No. 5,774,898 ("Malpee"), which was briefly discussed that in the interview, it is noted that Malpee does teach or suggest anti-skid portions that have side parts that extend along substantially all of both sides of its "foot glove" 1 at a level of at least mid-toe height of a wearer. To the extent that Malpee's bottom portion 5 extends along side portions of a wearer's foot, it does not extend anywhere near mid-toe height of a wearer. Further, Malpee does not disclose use of bottom surface to provide an anti-skid surface along the side of a wearer's foot.

Information Disclosure Statement

It is noted that the Office Action crossed in the mail with the timely-filed Information Disclosure Statement mailed on May 21, 2003. The Examiner has indicated that the Information Disclosure Statement is in the file, and will be duly considered prior to the issuance of any further action on the merits.

Drawing Objection

The drawings stand objected to under 37 CFR 1.83(a). As noted above, a replacement sheet of drawings is submitted herewith, rendering moot the objection. Withdrawal of the objection is therefore respectfully requested.

Objections to Specification

The specification stands objected to because of a pair of typographical errors. As noted above, the typographical errors have been remedied, removing the basis for the objections. Withdrawal of the objections is therefore respectfully requested.

Objections to Claims

Claims 9 and 16 stand objected to because of a missing word ("of") in each claim. The claims have been amended to include the missing words, and withdrawal of the objections is therefore respectfully requested.

Prior Art Rejections

Claims 19 and 21-25 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Howard, U.S. Patent No. 4,051,553 ("Howard") in view of Mulvihill, U.S. Patent No. 4,541,186 ("Mulvihill"). Withdrawal of the rejections is respectfully requested for at least the following reasons.

Howard discloses an "athletic glove for football that protects the hand and fingers and facilitates ball handling." Col. 1, lines 35-37. Howard does not disclose a slipper or any similar sort of footwear.

Mulvihill discloses a lightweight, flexible gymnastic shoe. In the preferred embodiment, sole 14 of the gymnastic shoe is "glued to the bottom outer surface of upper 12." Col. 3, lines 46-47; Figs. 2 and 3. Mulvihill further discloses that sole 14 is "preferably made of a flexible, relatively thin and durable rubber or similar synthetic material" and "contributes to cushioning and shoe stability, provides traction, and protection for the foot." Col. 3, lines 35-41. In a preferred embodiment, Mulvihill's shoe includes an arch area 21 that "does not have sole material along its bottom surface." Col. 3, lines 48-49; Fig. 4. Mulvihill explains that an arch area 21 without sole material has "the advantage of reducing the weight" of the shoe and prevents "irritation of the foot by the sole material during pointing of the foot in gymnastic exercises." Col. 3, lines 49-52. Mulvihill also discloses that the shoe 10 may also include a toe area 20, made of leather or a man-made reinforcing material. Col. 3, lines 53-59; Figs. 1-3. Mulvihill does not disclose anti-skid material side portions extending along substantially all of the sides of a shoe.

Claim 19 as amended recites a glove as part of a yoga support system that includes a pair of gloves and a pair of yoga slippers, wherein the slippers include, *inter alia*, anti-skid portions having side parts that extend along substantially all of both sides of the slipper at a level of at least mid-toe height of a wearer. Howard obviously does not teach or suggest slippers with such anti-skid portions. Mulvihill also does not teach or suggest such anti-skid portions. Neither Mulvihill's sole 14 nor its toe portion 20 extend along substantially all of both sides of the slipper at a level of at least mid-toe height of a wearer. Nothing in Mulvihill suggests use of the sole 14 of the toe portion 20 to prevent skidding along the side of the foot. Since claim 19 recites a feature not taught or suggested by Howard and Mulvihill, claim 19 is patentable over Howard and Mulvihill, either alone or in combination.

Claim 25 as amended recites a yoga support system that includes, *inter alia*, a pair of yoga slippers that include anti-skid portions having side parts that extend along substantially all of both sides of the slipper at a level of at least mid-toe height of a wearer. As discussed above with regard to claim 19, Howard and Mulvihill do not teach or suggest the recited anti-skid portion side parts. Therefore claims 25-27 are patentable over Howard and Mulvihill, either alone or in combination.

Claim 21 as amended recites a method of performing yoga, including, among other steps, placing a pair of slippers on respective feet of a yoga practitioner, wherein the slippers each include a slipper anti-skid exterior surface, wherein the side parts of the slipper anti-skid exterior surface extend along substantially all of both sides of the slipper at a level of at least mid-toe height of a wearer. As discussed above, Howard and Mulvihill do not teach or suggest slippers with the recited anti-skid portion side parts. Therefore Howard and Mulvihill do not teach or suggest the recited method, and claims 21-24 are patentable over Howard and Mulvihill, either alone or in combination.

Newly-Added Claims

Newly-added claims 28-39 depend on claim 13. Since claim 13 has been indicated as allowable subject matter, claims 28-39 should be allowable as well.

Newly-added claims 40 and 41 depend on claim 21. Claims 40 and 41 are patentable for at least the reasons given above for the patentability of claim 21. In addition, claims 40 and 41 recite features of the gloves which are considered to make the claims separately patentable.

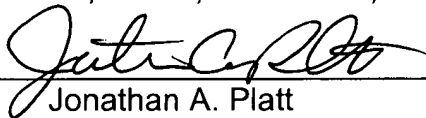
Newly-added claims 42 and 43 depend on claim 25. Claims 42 and 43 are patentable for at least the reasons given above for the patentability of claim 25. In addition, claims 42 and 43 recite features of the gloves which are considered to make the claims separately patentable.

Conclusion

In view of the foregoing, withdrawal of rejections is respectfully requested, in which case the application would be in condition for allowance.

In the event that an extension of time is necessary, this should be considered a petition for such an extension. The Commissioner is authorized to charge **\$243.00** for the presentation of new and amended claims. In the event any additional fees are due in connection with the filing of this paper, the Commissioner is authorized to charge those fees to our Deposit Account No. 18-0988 (Charge No. AAROP0101US).

Respectfully submitted,
RENNER, OTTO, BOISELLE, & SKLAR, LLP

By 
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REPLACEMENT SHEET

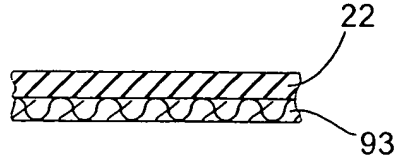


Fig.3A

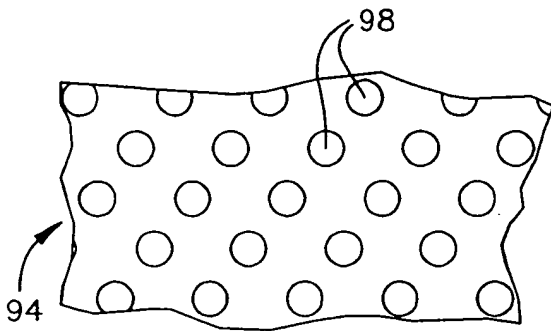


Fig.4

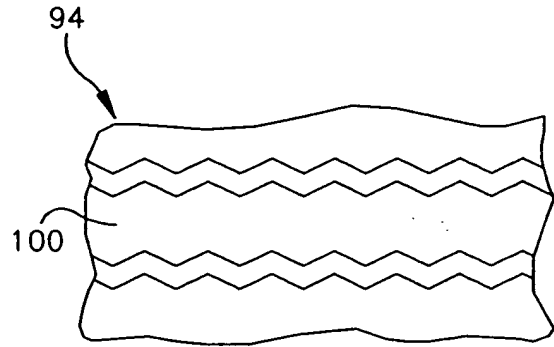


Fig.5

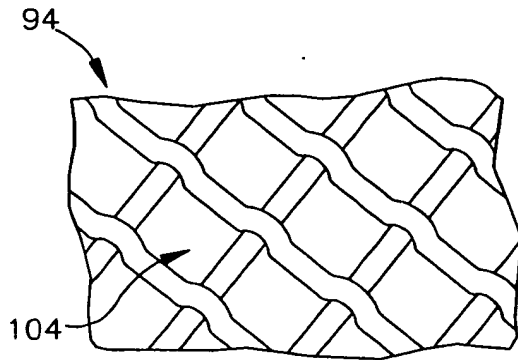


Fig.6

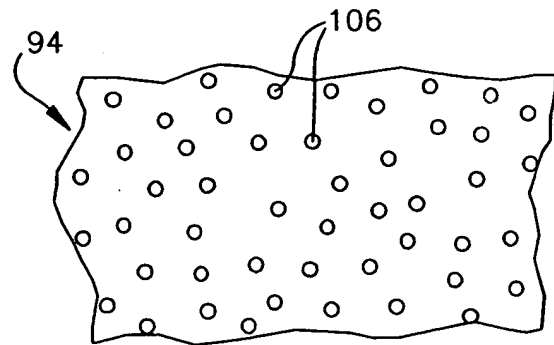


Fig.7